

Appl. No. 10/626,805
Amdt. Dated 08/26/05
Reply to Office Action of 05/26/05

Remarks/Arguments

Applicant would like to thank the examiner for the thorough review of the present application. Applicant previously requested and authorized the examiner to amend the specification by examiner's amendment to include reference numeral 19 as the "ledger" and replace the words "not shown" with reference numeral 19. In Applicant's previously filed Amendment dated 3/2/05, Applicant amended the specification and attached an amended FIG. 3 to reflect "the plurality of end portions," as previously requested by the examiner. In the same Amendment, Applicant further amended Figure 3 to include the ledger member identified as numeral 19. Therefore, Applicant believes the ledger is accurately shown in the FIG. 3.

Applicant respectfully submits no prior art of record discloses or renders obvious the combination of a masonry block with a bolt having an arcuate end portion as recited in Applicant's pending claims.

In particular, independent claims 1, 4 and 7 specifically recite, inter alia, "said arcuate end portion being positioned within a hollow core of a said masonry block with said elongate portion extending outwardly thereof". Giannuzzi simply does not teach an arcuate end portion as claimed by Applicant and, although Jensen discloses an arcuate end portion, such an arcuate end portion is positioned exterior of the wall cavity (see FIG. 5). No other prior art of record teaches an arcuate end portion positioned within a hollow core, as recited in Applicant's independent claims 1, 4 and 7. Therefore, any hypothetical combination of the Giannuzzi and Jensen does not teach all of Applicant's claimed recitations.

Furthermore, Giannuzzi simply provides no suggestion, teaching or motivation to employ Jensen's arcuate end portion to "hold the device in position relative to the masonry wall" or to "[prevent] the elongate member from leaving the hole and thereby leading to a more accurately positioned bolt system", as cited by the examiner on page 4 of the Office Action dated 5/25/05. In fact, Giannuzzi teaches away from using Jensen's arcuate end portion because Giannuzzi already employs a mounting coil 20-25 to help position and lock nut 12 in place during installation procedures. Giannuzzi also employs a holding fixture 28 that can be used to guide and position the bolt 10

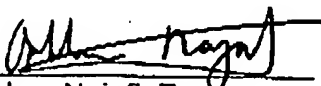
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through the wall surface. Therefore, a person of ordinary skill in the art would not combine Jensen's arcuate end portion with Giannuzzi's bolt 10 because it would be redundant and unnecessary while obstructing a user's grip of the holding fixture 28 during installation procedures.

In view of these considerations, it is respectfully submitted that the rejection of the pending claims should be considered as no longer tenable with respect to the above arguments. All pending dependent claims necessarily include the recitations of their independent claims and therefore are also in condition for allowance. Should the examiner consider necessary or desirable to make formal changes anywhere in the specification, claims and/or drawings, then it is respectfully asked that such changes be made by examiner's Amendment, if the examiner feels this would facilitate passage of the case to issuance. Alternatively, should the examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned attorney.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,
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